

United States District Court  
Western District of North Carolina  
Charlotte Division

No. 3:09-CR-111

United States of America        )  
  )  
                  v.                    )  
  )  
Samuel Foster, Jr.                )

**CONSENT ORDER**

WHEREAS Samuel Foster, Jr. (“Mr. Foster”), was placed on federal probation with regard to the above-captioned matter; and

WHEREAS Mr. Foster has not been assigned to, but is under the courtesy supervision of, the United States Probation Office of the United States District Court for the District of South Carolina (the “Probation Office”); and

WHEREAS the Probation Office has suggested that an Order from this Court could further clarify and simplify the terms of Mr. Foster’s probation with regard to business travel; and

WHEREAS it is recognized by both Mr. Foster and the United States that is in the best interests of the United States and Mr. Foster for him to continue to and/or revitalize his professional career in a legal and ethical manner; and

WHEREAS the United States and Mr. Foster acknowledge that such career efforts will require occasional national and international travel; and

WHEREAS the United States and Mr. Foster acknowledge that as of the time of this Consent Order, Mr. Foster poses no known threat to the community or danger of flight; and

WHEREAS the United States and Mr. Foster recognize that the United States must have sufficient means to keep track of Mr. Foster while he remains on probation; and

WHEREAS the United States, through its duly authorized representative, has considered and agreed that the following terms of Mr. Foster's probation are appropriate in light of all of the above considerations as well as in light of the considerations that led to his specific sentence;

NOW THEREFORE, by the consent of the parties, it is ORDERED, ADJUDGED and DECREED as follows:

So long as Mr. Foster is in compliance with the other requirements of his federal probation and not notified of any alleged violation of the same, he shall be permitted to travel outside of South Carolina, both nationally and internationally, as is reasonably necessary in his good faith judgment for business development and business negotiations, subject to the following:

Domestic travel. In accordance with the above provisions, Mr. Foster shall provide to his then designated Probation Officer notice of his domestic business travel at least forty-eight (48) hours before such travel is to occur.

International travel. In accordance with the above provisions, Mr. Foster shall provide to his Probation Officer reasonable notice of his international business travel at least five (5) calendar days before such travel is to occur. Mr. Foster shall similarly provide such notice to his legal counsel.

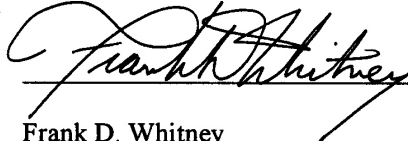
Unless the designated Probation Officer for Mr. Foster reasonably objects to the above-described properly noticed travel, all such travel shall be considered to be in conformance with the terms of Mr. Foster's probation.

Dispute. Mr. Foster's travel privileges that are proposed and/or noticed in conformity with this Consent Order shall not be altered or terminated in the absence of a good faith belief by the Prosecutor (David A. Brown) or the then-designated Probation Officer that material terms of Mr. Foster's probation have been violated or that such travel will result in the violation of said terms.

Notice to the Government or Court. If at any time the United States or the then-designated Probation Officer reasonably and in good faith believe that Mr. Foster is in violation of the terms of his Probation or of the terms of this Consent Order, all parties and counsel shall be notified, and the Government and Mr. Foster shall have available to it all legal actions and remedies.

WITH CONSENT OF THE PARTIES, IT IS SO ORDERED.

Signed: December 10, 2010

  
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Frank D. Whitney  
United States District Judge

